

It's the Law!

Failure to comply with California Laws and Regulations pertaining to the selling and reselling of fruits and vegetables may result in confiscation of the product and/or fines of up to \$1000.00 for each violation depending on the severity.



Thank you for helping to keep illegally obtained produce out of the marketplace

Contact Information

COUNTY OF SAN DIEGO DEPARTMENT OF AGRICULTURE, WEIGHTS AND MEASURES

9325 Hazard Way, Suite 100,
San Diego, CA 92123-1217

Phone: (858) 694-2778

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<http://www.sdcawm.org>



*Laws and regulations pertaining to
fruits and vegetables are available
on the web:*

<http://www.cdffa.ca.gov> - Laws & Regs

California Contact Information

CDFA-Inspection Services Division
Inspection and Compliance Branch
Standardization Program

1220 N Street

Sacramento, CA 95814

PH: (916) 900-5030

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County of San Diego

Department of Agriculture, Weights & Measures



**What you need to know
about fresh produce
being transported
and / or sold at:**

- Wholesale Markets
- Flea Markets
- Swap Meets
- Roadside Stands



What is required for...

Proof of Ownership

- 25 pounds or more of fruits, nuts, or vegetables requires proof of ownership.
- Persons selling a commodity for resale shall provide buyers / transporters with a proof of ownership.
- Every person buying produce for resale shall obtain from the previous buyer a record of proof of ownership.
- Ownership records shall be retained by the seller for 60 days after delivery.

What must the proof of ownership contain?

- Common name of commodity
- Quantity sold
- Date of transaction



Seller Information:

- Name
- Address
- Phone Number
- Signature

Purchaser Information:

- Name
- Address
- Phone Number

[illegible]

Acceptable Proof includes:

Bill of Lading

Bill of Sale

Certified Producers Certificate

Standard Containers

These commodities have standard container requirements:

Apples	Cauliflower	Melons
Apricots	Celery	Nectarines
Artichokes	Cherries	Peaches
Avocados	Citrus	Plums
Cabbage	Grapes	Fresh Prunes
Cantaloupe	Lettuce	Sweet Potatoes
		Tomatoes

For a complete listing of containers/dimensions refer to CA Code of Regulations Title 3, Article 4, Section 1380.19.

The commodities listed above shall not be packed or placed into non-standard containers including “Banana Boxes” when transported or offered for sale at swap meets/ flea markets or roadside stands.



Reused Container Requirements

Persons reusing containers are required to:

- **Obliterate all non-applicable markings.**
 - Replace with appropriate IRQ markings.
 - Responsibility statement is the person responsible for placing the reused containers into the channels of trade.
 - **Non-applicable markings include:**
 - Old Brands
 - Trade Marks
 - Grade Designations
 - Responsibility Statements
 - Identity Statements
 - Quantity Statements
 - Variety Statements
- 



Marking Requirements

Containers require IRQ:

- **Identity statement:** Common name of Commodity. Abbreviations are not allowed.
- **Responsibility statement:** Name and address, including zip code.
- **Quantity:** Net weight, measure or count.

Additional Markings: Some commodities have additional requirements such as variety or size.

CA Code of Regulations Title 3. Article 7 - Article 43

Exemptions: For marking and container sizes for producers selling produce at or near:

- Point of production
- Certified Farmers Market

CA Food and Agricultural Code Section 47002

There are **no exemptions** for markings or standard containers for produce being transported to and offered for sale at:

- Roadside stands, swap meets and flea markets



All Markings Must Be Legible

Consumer Containers:

- Most commodities have a required container.
- Container Size: 15 pounds or less.
- If commodity weighed at point of sale, does not require IRQ.
- If sold as a unit, must have IRQ.

CA Code of Regulations Title 4, Division 9, Chapter 10, Article 2